

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DANIEL PLEWINSKI, on Behalf of
Himself and Others Similarly Situated,

Plaintiff,

JAMIE POTEET, *et al.*,

Intervenors,

v.

LUBY'S, INC. D/B/A LUBY'S,

Defendant.

CIVIL ACTION NO. 4:07-cv-3529

JURY TRIAL DEMANDED

ORDER ON MOTION TO INTERVENE

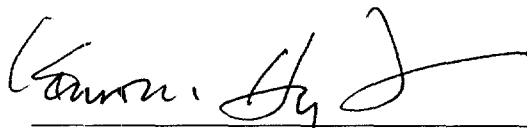
Before the Court is the motion to intervene filed by certain current and former Luby's (Intervenors).¹ After reviewing the submissions of the parties, the Court is of the opinion that: (1) the motion to intervene is timely; (2) Intervenors assert an interest that is related to the property or transaction that forms the basis of the controversy in this case; (3) the disposition of

¹ The individuals seeking intervention are: Jamie Poteet, Anthony Earl Domino, Belinda Martin, Zachary Majors, Ashley N. Albus, Keli Renee Duerson, Yvonne Marie Gonzales, Erica Medrano, Jennifer Saldana, Alice Hill, Raven Jackson, Dusty David Lamb, William David Knight, Douglas Ray Thompson, Kenneth Vaughn, Rebecca Aguado, Suzanne Day, Crystal Delgado, JoQueshia Graves, Vanessa Guerrero, Margart Hendricks, Hilaria Lara, Farrell Lare, Angela Garrison, Laura Lee Martin, Tami Lynn Martin, Kristina Mascorro, Dennis McCoy, Valerie Morales, Shannon Pipkin, Dahlia Place, William Redden, Andrea Rocha, Alicia Ruthford, Amy Salas, Cody Lee Vaughn, Brandy M. White, Demtres Wilson, Jaime Smith, Nikkee Rector, Beverly Flores, Raheem Johnson, Delbert Straw, Sina Gebremessihe, Amanda Gomez, Kausha Noel, Brittany Khrene, Robert Sweed, Steven Burks, Beth Chavez, Adriana Garcia-Kato, Jose Garcia-Kato, Alicia Hudnall, Julia Rocha, Krystal Jester, Curtis Boutte, Cameron West, Tamara Johnson, Jennifer Stephens, Erie Musselman, Jason Fuller, Hazel Mitchell, Yolanda Esparza Romo, Brian Scott Kelley, Carol Kirk, Connie John, Amy Williams, Dorothy Law, Therese M. Kanak and William Catanzano.

this case may impair or impede Intervenor's ability to protect their interests; and (4) the existing parties do not adequately represent Intervenor's interests. It is, therefore,

ORDERED that Intervenor's motion to intervene is, hereby, **GRANTED**. Accordingly, Intervenor is admitted to this Fair Labor Standards Act collective action as opt-in plaintiffs as of June 5, 2009.

SIGNED at Houston, Texas on this July 2, 2009.

A handwritten signature in black ink, appearing to read "Kenneth M. Hoyt", written over a horizontal line.

Hon. Kenneth M. Hoyt
United States District Judge